

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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BIRAHIMA DOUTA THIAW,

| Case No. 2:14-cv-00698-MMD-CWH

**Petitioner,**

## ORDER

ICE/DEPARTMENT OF HOMELAND SECURITY,

### Respondent.

Petitioner, who is in custody at the Henderson Detention Center, has submitted a petition for a writ of habeas corpus under 28 U.S.C. § 2241. He alleges that he is a citizen of Senegal, that he has been ordered removed from the United States, and that he is being detained indefinitely without any prospect of removal.

Petitioner has not named the correct respondent. The correct respondent to a petition for a writ of habeas corpus is the person who has immediate custody over him. 28 U.S.C. § 2242. That person would be the person who is in charge of the Henderson Detention Center. The Court will give petitioner the opportunity to file an amended petition that names the correct respondent.

It is therefore ordered that the Clerk of the Court shall send petitioner form AO 242, petition for a writ a petition for a writ of habeas corpus under 28 U.S.C. § 2241. Petitioner shall have thirty (30) days from the date that this order is entered to file an amended petition that names the correct respondent. Failure to comply with this order will result in the dismissal of this action.

1           It is further ordered that petitioner shall clearly title the amended petition as such  
2 by placing the word "AMENDED" immediately above "Petition for a Writ of Habeas  
3 Corpus Under 28 U.S.C. § 2241" on page 1 in the caption, and petitioner shall place the  
4 docket number, 2:14-cv-00698-MMD-CWH, above the word "AMENDED."

5           DATED THIS 9<sup>th</sup> day of May 2014.



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7           MIRANDA M. DU  
8           UNITED STATES DISTRICT JUDGE  
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